

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	Chapter 13
	:	NO. 17-13760-MDC
Lisa Rose Mariani,	:	
	:	MOTION TO MODIFY PLAN
	:	as per 11 USC 1329(d)(1)(A)

ORDER

AND NOW, this day of 2020, upon consideration of the Debtor(s) Motion to Modify Confirmed Chapter 13 Plan pursuant to the Federal Bankruptcy Rule of Procedure 1329(d)(1)(A), and any response thereto, and after a hearing on the matter, it appears that:

A. Debtor has experienced a material financial hardship due directly to the coronavirus disease 2019 (COVID-19) pandemic.

B. Debtor proposes a new plan repayment period, not to exceed 7 years after the time first payment under the original confirmed plan was due.

C. Debtor's new repayment period shall expire on August 1, 2026.

WHEREFORE it is ORDERED that the Debtor's Motion to Modify the Plan is

GRANTED.

Magdeline D. Coleman,
Chief Judge
United States Bankruptcy Court

HELM LEGAL SERVICES LLC
Paul AR Stewart, Esquire #307997
333 East Lancaster Ave STE 140
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610-864-5600

Counsel for Debtor

**UNITED STATES BANKRUPTCY COURT
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**DEBTOR'S MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN
PURSUANT TO 11 USC 1329(d)(1)(A)
COVID-19 PANDEMIC MATERIAL FINANCIAL HARDSHIP.**

Lisa Rose Mariani (hereinafter "Debtor"), through her counsel Paul AR Stewart, Esq., hereby respectfully moves this Court (the "Motion"), pursuant to Rule 1329(d) ("Rule 1329") of the Federal Rules of Bankruptcy Procedure (as amended, the "Bankruptcy Rules"), for entry of an order modifying her confirmed Chapter 13 Plan and respectfully states as follows:

1. Debtor filed this Chapter 13 case on May 31, 2017.
2. This Honorable Court confirmed the Chapter 13 Repayment Plan by Order dated 19 September 2019, Doc # 135.
3. Debtor has complied with her Chapter 13 plan. This is a 100% repayment plan.
4. Debtor's plan has a balance due of \$61,286.93. Debtors current repayment amount is \$2,188.83 including the US Trustee Commission.
5. Debtor's current plan expires on June 1, 2022.
6. Debtor seeks to modify to the expiration of her plan to August 1, 2026.
7. Debtor proposes a modified repayment amount of \$828.21 for 74 months.

8. President Trump signed the “Coronavirus Aid, Relief, and Economic Security Act” or the “CARES Act” on March 27, 2020. Section 1113 of the CARES Act amended Section 1329 of Title 11 by adding new subsection (d).
9. Subsection (d) provides a debtor may request to modify a plan confirmed before enactment of the (CARES Act) Subsection (d)(1) if:
 - A. The debtor is experiencing or has experienced a material financial hardship due, directly or indirectly, to the coronavirus disease 2019 (COVID-19) pandemic; and
 - B. The modification is approved after notice and a hearing.

(2) A plan modified under paragraph (1) may not provide for payments over a period that expires more than 7 years after the time that the first payment under the original confirmed plan was due.

See 11 USC Section 1329(d).

10. Debtor has suffered financial loss as a result of unemployment directly or indirectly due to the COVID-19 Pandemic. Debtor worked for a child care center. Following a shelter at home state wide order – the day care closed. Debtor became unemployed.
11. Furthermore, Debtor’s spouse, a construction contractor, has suffered material hardship and loss of work directly due to work closures and stay-at-home general government orders effective March 12, 2020 which prevented him from working. Debtor spouse reports loss of revenue exceeding \$30,000

Relief Requested:

Debtor moves this Honorable Court for an order modifying her confirmed chapter 13 plan and granting any further relief this Court may deem proper.

Respectfully submitted,

Date: May 20, 2020

/S/ Paul A.R. Stewart
Paul A R Stewart
Counsel for Debtor

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER: 13
LISA ROSE MARIANI	:	CASE NO: 17-13760-MDC
	:	
DEBTOR	:	MOTION TO MODIFY PLAN
	:	as per 11 USC 1329(d)(1)(A)

CERTIFICATE OF SERVICE

I, Paul A. R. Stewart, Esquire, hereby certify that on May 20, 2020, I served via first class regular mail and/or electronic filing, with a true and correct copy of the Debtor's Motion to Modify Plan as per 11 USC 1329(d)(1)(A) upon:

Counsel for Bank

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Philadelphia, PA 19107

William C. Miller, Esquire (Trustee)

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PHILADELPHIA, PA 19107

Dated: May 20, 2020

/s/ Paul A. R. Stewart

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Attorney for Debtor